

REGULAR CITY COUNCIL MEETING
OCTOBER 27, 1986

PRESENT

Ruth Hansen	Mayor
Craig Greathouse	Council Member
David Church	Council Member
Neil Dutson	Council Member
Gayle Bunker	Council Member
Don Dafoe	Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan	City Manager
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney
Richard Waddingham	Deputy City Attorney
John Quick	City Engineer
Roger Young	Chief of Police
Colleen Johnson	Contel Telephone Co.
Tom Hamilton	U.S. Postal Service
Allen Wardle	City Resident
Julia Wardle	City Resident
Ron Law	County Resident
Kevin Law	Boy Scout

Mayor Ruth Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a regular City Council meeting held September 29, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member Craig Greathouse MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Don Dafoe MOVED that the accounts payable be approved for payment as listed, excluding the bill from Millard County in the amount of \$714.60 to allow for further review, for a total of \$129,213.39. Council Member Gayle Bunker SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

COLLEEN JOHNSON/ED PHILLIPS: 911 EMERGENCY CALLING SERVICE

Mayor Hansen excused Sheriff Ed Phillips who was unable to attend and asked Colleen Johnson of Contel Telephone Company to review with the Council the proposed 911 Emergency Calling Service.

Colleen Johnson presented a handout to the Council members and explained the functions, advantages and service of the 911 emergency number in detail.

She said that the Utah Legislature recently adopted legislation that allows a public agency to place a \$.50 per month charge on all telephone lines within a service area to provide funding for the 911 services, and Millard County desires to use this funding.

Ms. Johnson said that the total cost of installation, line, and equipment for the 911 service equipment proposed by Millard County is \$29,833; after the equipment is paid for there will be a yearly charge of \$15,000. She said that the \$.50 per month charge would be collected by Contel and remitted to Millard County. She also said that the funds must be placed in a special emergency telephone service to be used to purchase, operate and maintain the necessary telephone and dispatch equipment for the 911 system.

Ms. Johnson said that all cities within Millard County have to agree to the 911 service before it can be installed.

The Council discussed the 911 system and said that they favored the 911 service, but concurred that Millard County should provide and stand the expense of the 911 emergency dialing service.

Council Member Craig Greathouse said that Millard County has money budgeted for the 864-2755 emergency number and said that that money should be used for the 911 number, if it is installed.

Council Member David Church recommended that the City officials meet with Millard County Commissioners and discuss the 911 service and possible funding prior to any action being taken.

Mayor Hansen explained that the Council is in agreement to the 911 service and realizes the importance of it, but feels that Millard County should fund the service to avoid excess taxation of City and County residents. Mayor Hansen thanked Mrs. Johnson for her presentation.

REX DAY: RANCHO MOBILE HOME PARK PROPOSAL

Attorney Warren Peterson said that Rex Day has withdrawn his proposal requesting that Delta City provide materials and labor to install a sprinkler system and to plant lawn seed in the existing Rancho Mobile Home Public Park until the ownership of the Rancho Mobile Home Public Park is clear. There was no Council action taken.

TOM HAMILTON: INSTALLATION OF NBU & PARCEL LOCKER ON MAIN STREET

Mayor Hansen asked Postmaster Tom Hamilton to present his request to the Council.

Tom Hamilton requested approval from the Council to place a Neighborhood Box Unit (NBU) and a parcel locker in front of Valley Bank on Main Street.

Following a brief discussion, Council Member Craig Greathouse MOVED to approve the placement of a NBU and parcel locker in front of Valley Bank on Main Street. Council Member Don Dafoe SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

JOHN QUICK: CHANGE ORDER NO. 1 - OPEN DRAIN ENCLOSURE PROJECT

Mayor Hansen asked City Engineer John Quick to review Change Order No. 1 of the Open Drain Enclosure Project with the Council.

City Engineer John Quick explained that Change Order No. 1 for Rolfe Excavating and Construction Company is being submitted to extend the Open Drain Enclosure Project, which would complete the 200 South system and as much of N-S line as possible from Main Street. Mr. Quick reviewed in detail Change Order No. 1, as on file, and said that the original contract price was \$127,015.25, with Change Order No. 1 increasing it by \$24,600, for a total of \$151,615.25. Mr. Quick said that the completion date for the extension of the Open Drain Enclosure Project is changed from November 1, 1986, to December 1, 1986.

The Council discussed the Open Drain Enclosure Project. Mr. Quick said that an additional 600 feet of open drains are not covered under this contract and said that for approximately \$16,000 this portion of drain could be covered. He said the remaining 600 feet was the only portion of the drains in the east

part of the City not yet covered. The Council instructed City Manager Jim Allan to review the City budget for any additional monies that could be used for this project.

Following discussion, Council Member Don Dafoe MOVED to approve Change Order No. 1 in the amount of \$24,600 for the Open Drain Enclosure Project. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

JOHN QUICK: PARTIAL PAYMENT REQUEST - ROLFE CONSTRUCTION

Mayor Hansen asked City Engineer John Quick to review a Partial Payment Request for Rolfe Construction.

City Engineer John Quick reviewed Partial Payment Request (No. 2) for Rolfe Construction in detail and explained that the payment amount requested is \$45,698.29.

Council Member Neil Dutson MOVED to approve Partial Payment Estimate (No. 2) for Rolfe Construction in the amount of \$45,698.29. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

JOHN QUICK: BUSH & GUDGELL BILLINGS NO. 2-32721F & 2-39175

Mayor Hansen asked City Engineer John Quick to the review Bush and Gudgell billings with the Council.

City Engineer John Quick explained Billing No. 2-32721F for General Fees Retainer Contract charges from June, July, and August 1986 in the amount of \$1,268.18.

Following brief discussion, Council Member David Church MOVED to approve Bush & Gudgell Billing No. 2-32721F in the amount of \$1,268.18. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions. There being none, she called for a vote. The motion passed unanimously.

City Engineer John Quick then explained Billing No. 2-39175 for the Drain Line Project Plans and Specifications from June, July, and August 1986 in the amount of \$12,371.27.

Following brief discussion, Council Member Neil Dutson MOVED to approve Bush & Gudgell Billing No. 2-39175 in the amount of \$12,371.27. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions. There being none, she called for a vote. The motion passed unanimously.

ROGER YOUNG: POLICE DEPARTMENT REPORT

Mayor Ruth Hansen asked Chief of Police Roger Young to give the Council his quarterly report on the activities of the Police Department.

Chief Young presented a statistic sheet to each of the Council members and reviewed it with them. Chief Young reported that the Police Department handled 1,060 cases in 1985 and as of October 27, 1986, the department has handled 761 cases. He said that crime in Delta City is decreasing.

Chief Young reported that there are eight police officers in the Police Department, which allows 24 hour police coverage at all times.

The Council members complimented Chief Young on the good work being done in the Department.

WARREN PETERSON: ORDINANCE INCREASING FINES AND FEES FOR CRIMINAL CASES

Mayor Hansen asked Attorney Warren Peterson to present a proposed ordinance increasing fines and fees for criminal cases.

Attorney Warren Peterson presented a proposed ordinance entitled:

ORDINANCE NO. 86-107

AN ORDINANCE REPEALING SECTION 1-331 PROVIDING FOR THE FINES OF PERSONS CONVICTED OF OFFENSES AND SECTION 1-332 PROVIDING FOR THE FINES OF CORPORATIONS, ASSOCIATIONS, PARTNERSHIPS OR GOVERNMENTAL INSTRUMENTALITIES CONVICTED OF FINES OF THE REVISED ORDINANCES OF DELTA CITY (1981 edition), AS AMENDED, AND RE-ENACTING SAID SECTIONS 1-331 AND 1-332 TO PROVIDE FOR INCREASES IN THE AMOUNT OF SAID FINES.

Following discussion, Council Member David Church MOVED to adopt Ordinance No. 86-107. The motion was SECONDED by Council Member Craig Greathouse. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member Craig Greathouse	Yes

Mayor Hansen then signed the ordinance and it was attested by Delta City Recorder Dorothy Jeffery.

JERRY REAGAN: BUILDING INSPECTION DEPARTMENT REPORT

Mayor Hansen requested City Manager Jim Allan to briefly discuss a handout prepared by Building Inspector Jerry Reagan, in view of Mr. Reagan's absence.

Mr. Allan reviewed a chart comparing building permits issued for 1985 and 1986. He reported that there has been a significant drop in construction during 1986, but many homes are still being built in the area.

Mr. Reagan will report at the next regular City Council meeting.

DOROTHY JEFFERY: DISCUSSION OF TRAVEL EXPENSE

Mayor Hansen asked City Recorder Dorothy Jeffery to present her request for a travel costs credit card for the Police Department to the Council.

Dorothy Jeffery requested approval from the Council to make application for a VISA credit card to be used by the Chief of Police (Roger Young) and Public Works Director (Neil Forster) for emergency travel expenses.

Mrs. Jeffery said that the Police Chief (Roger Young) would be responsible for the credit card and it would remain in his possession, but the bills would be submitted directly to her, the Delta City Recorder, for payment.

Following discussion, Council members denied the request for the Public Works Director to obtain a VISA credit card. Council Member David Church MOVED to authorize City Recorder Dorothy Jeffery to make application for a VISA credit card, if possible without an annual fee being charged, for Delta City Police Chief to be used in emergency situations only. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

JIM ALLAN: CEMETERY/SANDHILL ROAD BILL RESOLUTION WITH MILLARD COUNTY

Mayor Hansen asked City Manager Jim Allan to review with the Council the Cemetery/Sandhill Road bill from Millard County.

Mr. Allan said that on October 3, 1986, he had talked with Commissioner Warren Jensen concerning the billing to the City for work performed by Millard County's road crew on the Cemetery/Sandhill Road. He said that Commissioner Jensen said that Millard County has supplied the City with a reasonably priced road in the construction of the "Cemetery Road" and the costs are justified as indicated by Mr. Roper's bill.

Commissioner Jensen recognized the City's previous labor payments in 1985 to the County for \$6,978.50 but would not recognize \$1,988 paid to Sunrise Engineering for engineering work. The obligated cap on the project was \$41,784, minus payments made by the City in 1985. The remainder owing to the Millard County to finalize the project amounts to \$34,000.90.

Mr. Allan said that on October 7, 1986, he and Mayor Hansen met with Commissioner Jensen and the conclusions of the meeting were:

1. The County's bill for "equipment used", indicating \$11,625 and \$4,650 as Delta's share of the expense, was accepted. The reason for this acceptance was because of the fuel costs. The fuel costs to complete the project approximated the \$4,650 being billed under "equipment used".
2. The engineering fee of \$1,988, which was paid directly to Sunrise Engineering, was accepted as part of Delta City's total payment of the project and is to be included in the cap amount of \$41,784.

Mr. Allan said that as a result of the above, it was agreed that the total remaining amount to be paid to Millard County under the agreement is \$32,012.90 and that the City should proceed to pay Millard County as soon as possible. He also said that with the above payment the City will have spent a total of \$40,979.40 for the Cemetery Road Project.

JIM ALLAN: POSSIBLE CDBG GRANT FOR 1987 CAPITAL PROJECTS

Mayor Hansen asked City Manager Jim Allan to discuss a possible CDBG Grant for 1987.

City Manager Jim Allan said that Delta City has been requested to submit a pre-application Community Development Grant request to the Six County Planning and Economic Development District. More than one project may be submitted for funding, but in so doing it will be necessary to establish a priority list, he said.

Mr. Allan said that Six County Planning and Economic Development District indicated that the 1987 funding level for Millard County will be approximately \$65,000.

A CDBG Capital Project Priority List was presented for the Council's consideration. After discussion of the proposed projects listed and other capital project needs of the City, the following projects were listed by the Council:

Following discussion of the CDBG Project List, Council Member David Church MOVED to adopt the Capital Project Priority List as set out by the Council. Council Member Craig Greathouse SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

CITY ACTIVITY REPORT

Mayor Hansen if the Council had any items of business to be discussed.

Council Member Craig Greathouse said that the intersections of 200 North 200 East and 100 South and 200 West are in need of repair due to ponding water that cannot drain. City Engineer John Quick said that 200 North 200 East can be repaired soon, but 100 South and 200 West will have to be repaired next Spring.

The Joe Fullmer sewer connection was discussed, but no decisions were made.

Council Member David Church suggested that Delta City recognize in some way the Delta High School Football team if they take State this year. The Council concurred with the idea.

Attorney Warren Peterson briefly discussed the proposed Airport Annexation.

WARREN PETERSON: STATUS REPORT ON MACAULEY VS. DELTA CITY LITIGATION

Mayor Hansen asked Attorney Warren Peterson to give a status report on MacAuley Vs. Delta City litigation.

Attorney Peterson requested that this issue be discussed in closed session. Council Member Don Dafoe MOVED that the Council meet in closed session. The motion was SECONDED by Council Member Craig Greathouse. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

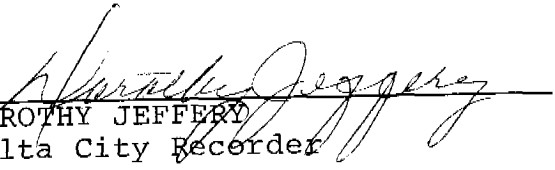
Following the Status Report on MacAuley vs. Delta City litigation, Council Member Neil Dutson MOVED to reconvene to regular City Council meeting. The motion was SECONDED by Council Member Gayle Bunker.

Council Member Gayle Bunker then MOVED to authorize Mayor Hansen to approve settlement of the MacAuley case if an

appropriate settlement is negotiated. The motion was SECONDED by Council Member David Church. Mayor Hansen asked for further comments or questions regarding the motion. There being none, she called for a vote on the motion. The motion passed unanimously.

Mayor Hansen asked if there were any further comments or questions or items to be discussed. There being none, Council Member Neil Dutson MOVED to adjourn. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously. Mayor Hansen declared the meeting adjourned at 10:45 p.m.


RUTH HANSEN, Mayor


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 11-10-86